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# UTILITY PATENT APPLICATION TRANSMITTAL

(Only for new nonprovisional applications under 37 CFR 1.53(b))

Attorney Docket No. PT-1949001

First Inventor Sheldon Tobe

Title Sterile Low Bicarbonate Dialysis  
Concentrate Solutions

Express Mail Label No.

## APPLICATION ELEMENTS

See MPEP chapter 600 concerning utility patent application contents.

1. ☒ Fee Transmittal Form (e.g., PTO/SB/17)  
(Submit an original and a duplicate for fee processing)
2. ☒ Applicant claims small entity status.  
See 37 CFR 1.27.
3. ☒ Specification [Total Pages 18]  
(preferred arrangement set forth below)
- Descriptive title of the invention
  - Cross Reference to Related Applications
  - Statement Regarding Fed sponsored R & D
  - Reference to sequence listing, a table, or a computer program listing appendix
  - Background of the Invention
  - Brief Summary of the Invention
  - Brief Description of the Drawings (if filed)
  - Detailed Description
  - Claim(s)
  - Abstract of the Disclosure

4. ☐ Drawing(s) (35 U.S.C. 113) [Total Sheets ]5. ☐ Oath or Declaration [Total Pages 2]

- a. ☒ Newly executed (original or copy)
- b. ☐ Copy from a prior application (37 CFR 1.63 (d))  
(for continuation/divisional with Box 18 completed)
- i. ☐ **DELETION OF INVENTOR(S)**  
Signed statement attached deleting inventor(s)  
named in the prior application, see 37 CFR  
1.63(d)(2) and 1.33(b).

6. ☒ Application Data Sheet. See 37 CFR 1.76ADDRESS TO: Assistant Commissioner for Patents  
Box Patent Application  
Washington, DC 20231

7. ☐ CD-ROM or CD-R in duplicate, large table or  
Computer Program (Appendix)
8. Nucleotide and/or Amino Acid Sequence Submission  
(if applicable, all necessary)
- a. ☐ Computer Readable Form (CRF)
- b. Specification Sequence Listing on:
- i. ☐ CD-ROM or CD-R (2 copies); or
  - ii. ☐ paper
- c. ☐ Statements verifying identity of above copies

## ACCOMPANYING APPLICATION PARTS

9. ☒ Assignment Papers (cover sheet & document(s))
10. ☐ 37 CFR 3.73(b) Statement ☐ Power of Attorney  
(when there is an assignee)
11. ☐ English Translation Document (if applicable)
12. ☐ Information Disclosure ☐ Copies of IDS  
Statement (IDS)/PTO-1449 Citations
13. ☐ Preliminary Amendment
14. ☒ Return Receipt Postcard (MPEP 503)  
(Should be specifically itemized)
15. ☐ Certified Copy of Priority Document(s)  
(if foreign priority is claimed)
16. ☐ Nonpublication Request under 35 U.S.C. 122  
(b)(2)(B)(i). Applicant must attach form PTO/SB/35  
or its equivalent.
17. ☐ Other: .....

18. If a CONTINUING APPLICATION, check appropriate box, and supply the requisite information below and in a preliminary amendment, or in an Application Data Sheet under 37 CFR 1.76:

☐ Continuation ☐ Divisional ☐ Continuation-in-part (CIP)Provisional 60,256,493  
of prior application No.:

Prior application information:

Examiner:

Group Art Unit:

For CONTINUATION OR DIVISIONAL APPS only: The entire disclosure of the prior application, from which an oath or declaration is supplied under Box 5b, is considered a part of the disclosure of the accompanying continuation or divisional application and is hereby incorporated by reference. The incorporation can only be relied upon when a portion has been inadvertently omitted from the submitted application parts.

## 19. CORRESPONDENCE ADDRESS

☒ Customer Number or Bar Code Label23607  
(Insert Customer No. or Attach bar code label here)or ☐ Correspondence address below

Name

Neil

Address

City

State

Zip Code

Country

Telephone

Fax

Name (Print/Type)

Neil H. Hughes, P.Eng.

Registration No. (Attorney/Agent)

33,636

Signature

Date

Dec. 18/01

Burden Hour Statement: This form is estimated to take 0.2 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Box Patent Application, Washington, DC 20231.

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# FEE TRANSMITTAL for FY 2002

Patent fees are subject to annual revision.

TOTAL AMOUNT OF PAYMENT

(\$ 1,060.00 USD)

## Complete if Known

Application Number

Filing Date

First Named Inventor

Sheldon Tobe

Examiner Name

Group Art Unit

Attorney Docket No.

PT-1949001

## METHOD OF PAYMENT

1. ☒ The Commissioner is hereby authorized to charge indicated fees and credit any overpayments to:

Deposit  
Account  
Number

08-3255

Deposit  
Account  
Name

IVOR M. HUGHES

- ☒ Charge Any Additional Fee Required  
Under 37 CFR 1.16 and 1.17

- ☐ Applicant claims small entity status.  
See 37 CFR 1.27

2. ☒ Payment Enclosed:

- ☒ Check ☐ Credit card ☐ Money  
Order ☐ Other

## FEE CALCULATION

### 1. BASIC FILING FEE

Large Entity Small Entity

Fee Fee Fee Fee Fee Description

Code (\$) Code (\$) Code (\$) Code (\$)

101 740 201 370 Utility filing fee

106 330 206 165 Design filing fee

107 510 207 255 Plant filing fee

108 740 208 370 Reissue filing fee

114 160 214 80 Provisional filing fee

Fee Paid

\$740-

SUBTOTAL (1) (\$ 740.00)

### 2. EXTRA CLAIM FEES

Total Claims 12 -20\*\* = 0 x \$9- = 0  
Independent Claims 1 -3\*\* = 0 x \$42- = 0  
Multiple Dependent 0 \$280- = \$280-

Large Entity Small Entity

Fee Fee Fee Fee Fee Description

Code (\$) Code (\$) Code (\$) Code (\$)

103 18 203 9 Claims in excess of 20

102 84 202 42 Independent claims in excess of 3

104 280 204 140 Multiple dependent claim, if not paid

109 84 209 42 \*\* Reissue independent claims  
over original patent

110 18 210 9 \*\* Reissue claims in excess of 20  
and over original patent

SUBTOTAL (2)

(\$ 280.00)

\*\*or number previously paid, if greater; For Reissues, see above

## FEE CALCULATION (continued)

### 3. ADDITIONAL FEES

Large Entity Fee Code	Small Entity Fee Code	Fee Description	Fee Paid
105 130	205 65	Surcharge - late filing fee or oath	
127 50	227 25	Surcharge - late provisional filing fee or cover sheet	
139 130	139 130	Non-English specification	
147 2,520	147 2,520	For filing a request for <i>ex parte</i> reexamination	
112 920*	112 920*	Requesting publication of SIR prior to Examiner action	
113 1,840*	113 1,840*	Requesting publication of SIR after Examiner action	
115 110	215 55	Extension for reply within first month	
116 400	216 200	Extension for reply within second month	
117 920	217 460	Extension for reply within third month	
118 1,440	218 720	Extension for reply within fourth month	
128 1,960	228 980	Extension for reply within fifth month	
119 320	219 160	Notice of Appeal	
120 320	220 160	Filing a brief in support of an appeal	
121 280	221 140	Request for oral hearing	
138 1,510	138 1,510	Petition to institute a public use proceeding	
140 110	240 55	Petition to revive - unavoidable	
141 1,280	241 640	Petition to revive - unintentional	
142 1,280	242 640	Utility issue fee (or reissue)	
143 460	243 230	Design issue fee	
144 620	244 310	Plant issue fee	
122 130	122 130	Petitions to the Commissioner	
123 50	123 50	Processing fee under 37 CFR 1.17(q)	
126 180	126 180	Submission of Information Disclosure Stmt	
581 40	581 40	Recording each patent assignment per property (times number of properties)	\$40.00
146 740	246 370	Filing a submission after final rejection (37 CFR § 1.129(a))	
149 740	249 370	For each additional invention to be examined (37 CFR § 1.129(b))	
179 740	279 370	Request for Continued Examination (RCE)	
169 900	169 900	Request for expedited examination of a design application	

Other fee (specify)

\*Reduced by Basic Filing Fee Paid

SUBTOTAL (3) (\$ 40.00)

## SUBMITTED BY

Name (Print/Type)

Neil H. Hughes, P. Eng.

Registration No.  
(Attorney/Agent)

33,636

Complete (if applicable)

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(905) 771-6414

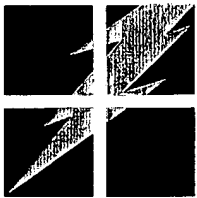
Signature

Date

Dec. 18/01

WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

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**Ivor M. Hughes**

*Barrister & Solicitor*

*Patent & Trade Mark Agents  
Canada, United States*

**Barrister & Solicitor**  
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**Patent Agents**  
Neil H. Hughes, P.Eng.  
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**Counsel**  
Alfred Schorr

Our Ref. PT-1949001

December 18, 2001

**VIA COURIER**

The Commissioner of Patents,  
UNITED STATES PATENT OFFICE,  
2011 South Clark Place,  
Crystal Plaza 2, Room 1B03  
Arlington, Virginia, U.S.A. 22202

Dear Sir:

**Re: Non-Provisional United States Patent Application  
(Based on Provisional United States Patent Application No. 60/256,493)  
of Dialysis Solutions Inc.  
for STERILE LOW BICARBONATE DIALYSIS CONCENTRATE  
SOLUTIONS  
CUSTOMER NO. 23607**

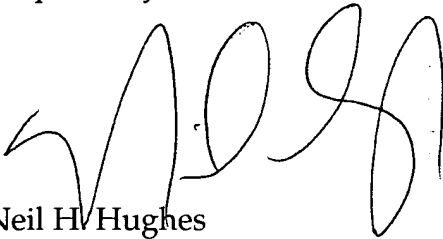
Enclosed herewith please find the following documentation for filing a Non-Provisional United States Patent Application with the Commissioner claiming priority from Provisional United States Patent Application Serial No. 60/256,493:

- (a) Utility Patent Application Transmittal,
- (b) Fee Transmittal for FY 2002,
- (c) Declaration for Utility or Design,
- (d) Power of Attorney or Authorization of Agent,
- (e) Declaration for Utility or Design Application Using an Application Data Sheet,
- (f) Informal Assignment,
- (g) Data Entry Form,
- (h) Abstract,
- (i) Disclosure,
- (j) Claims,
- (k) Provisional filing information of U.S. Applic. Serial No. 60/256,493.

Enclosed along with this material please find a cheque in the amount of \$1,060.00 U.S. dollars which includes \$780.00 for the base filing fee of a large entity, , \$280.00 for multiple dependent claims, and \$40.00 for the Assignment filing fee. If there is any deficiency or surplusage of the fees enclosed for filing this Application, please obtain any such deficiency or credit the surplusage to Deposit Account 08-3255 and advise Applicants' Agent.

Also enclosed herewith is a stamped, self-addressed verification card which we request that you kindly acknowledge and return to this office at the earliest opportunity. We thank the Commissioner for his cooperation in this regard and look forward to receiving filing data in this matter.

Respectfully submitted,



Neil H. Hughes  
Registration No. 33,636  
Agent for Applicant

NHH:mse  
Enclosures

10088812001 28802001